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On

By

Michelle Nicely

PATENT

Attorney Docket No.: E-11

October 2, 2003

[Signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ronald A. Underwood

Application No.: 10/613,609

Filed: July 2, 2003

For: METHOD FOR TREATING
OBSTRUCTIVE SLEEP DISORDER INCLUDES
REMOVING TISSUE FROM THE BASE OF
TONGUE

Examiner: Unassigned

Art Unit: 3763

**INFORMATION DISCLOSURE
STATEMENT UNDER
37 CFR §1.97 and §1.98**

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. A copy of each is enclosed.

It is respectfully requested that the cited information be considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue there from.

This IDS is being filed before the mailing date of the first Office Action on the merits. Accordingly, Applicants believe that no fee is necessary. Should a fee be deemed necessary for submission of this IDS, the Commissioner is authorized to charge the required fee to Deposit Account No. 50-0359.

Respectfully submitted,

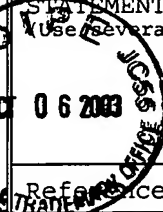
[Signature]

Richard R. Batt
Reg. No. 43,485

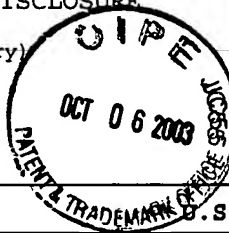
[Signature] 2,2003

Date


ArthroCare Corporation
680 Vaqueros Ave.
Sunnyvale, CA 94085-3523
(408) 736-0224

FORM PTO-1449 (Modified)			Attorney Docket No.		Application No.:	
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)			E-11		10/613,609	
			Applicant: RONALD A. UNDERWOOD			
			Filing Date: JULY 2, 2003		Group: 3763	
Reference Designation			U.S. PATENT DOCUMENTS			
Examiner Initial	Document No.	Date	Name	Class	Sub- class	Filing Date
FOREIGN PATENT DOCUMENTS						
	Document No.	Date	Country	Class	Sub- class	Translation (yes/no)
___ AA	EP 0 694 290	11/15/00	Europe	A61B	18/04	
___ AB	92/21278	12/10/92	WIPO	A61B	5/04	
___ AC	94/08654	04/28/94	WIPO	A61M	37/00	
___ AD	97/00647	01/09/97	WIPO	A61B	17/39	
___ AE	97/00646	01/09/97	WIPO	A61B	17/39	
___ AF	EP 0 703 461	03/27/96	Europe	G01R	27/02	
___ AG	EP 0 754 437	01/22/97	Europe	A61B	17/39	
___ AH	97/48345	12/24/97	WIPO	A61B	17/39	
___ AI	98/27880	07/02/98	WIPO	A61B	17/39	
___ AJ	2 327 350	01/27/99	UK	A61B	17/39	
___ AK	2 327 351	01/27/99	UK	A61B	17/39	
___ AL	2 327 352	01/27/99	UK	A61B	17/39	
___ AM	3930451	03/21/91	Germany	A61B	17/39	
___ AN	57-57802	04/05/82	JP	A61B	1/00	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
___ AO	Pearce, John A. (1986) <i>Electrosurgery</i> , pgs. 17, 69-75, 87, John Wiley & Sons, New York.					
___ AP	J.W. Ramsey et al. <i>Urological Research</i> Vol. 13, pp. 99-102 (1985).					
___ AQ	V.E. Elsasser et al. <i>Acta Medico Technica</i> Vol. 24, No. 4, pp. 129-134 (1976).					
___ AR	P.C. Nardella (1989) <i>SPIE</i> 1068:42-49 Radio Frequency Energy and Impedance Feedback					
___ AS	R. Tucker et al., Abstract P14-11, p. 248, "A Bipolar Electrosurgical Turp Loop"					
___ AT	R. Tucker et al. <i>J. of Urology</i> Vol. 141, pp. 662-665, (1989).					
___ AU	R. Tucker et al. <i>Urological Research</i> Vol. 18, pp. 291-294 (1990).					
___ AV	Kramolowsky et al. <i>J. of Urology</i> Vol. 143, pp. 275-277 (1990).					
EXAMINER			DATE CONSIDERED			

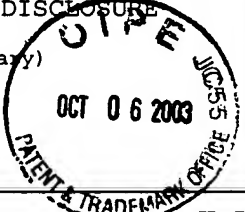
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FOREIGN PATENT DOCUMENTS						
	Document No.	Date	Country	Class	Sub-class	Translation (yes/no)
___ AW	WO 95/34259	12/21/95	WIPO	A61F	5/48	
___ AX	WO 93/13816	07/22/93	WIPO	A61B	17/36	
___ AY	WO 90/07303	07/12/90	WIPO	A61B	17/39	
___ AZ	WO 94/04220	03/03/94	WIPO	yes	A61N	1/06
___ BA	0 740 926 A2	11/06/96	EP	A61B	17/39	
___ BB	96/00042	01/04/96	WIPO	A61B	17/39	
___ BC	97/24073	07/17/97	WIPO	A61B	17/36	
___ BD	97/24993	07/17/97	WIPO	A61B	17/39	
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___ BG	98/07468	02/26/98	WIPO	A61N	1/40	
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___ BI	2 308 980	07/16/97	GB	A61B	17/36	
___ BJ	2 308 980	07/16/97	GB	A61B	17/36	
___ BK	57-117843	07/22/82	JP	A61B	17/36	
___ BL	99/51158	10/14/99	WIPO	A61B	17/39	
___ BM	99/51158	10/14/99	WIPO	A61B	17/39	
___ BN	98/27879	07/02/98	WIPO	A61B	17/39	
___ BX	WO 97/24074	07/16/97	WIPO	A61B	17/36	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
___ BP	Kramolowsky et al. J. of Urology Vol. 146, pp. 669-674 (1991).					
___ BQ	Slager et al. Z. Kardiolog. 76:Suppl. 6, 67-71 (1987).					
___ BR	Slager et al. JACC 5(6):1382-6 (1985).					
___ BS	Olsen MD, Bipolar Laparoscopic Cholecstectomy Lecture (marked confidential), 10/07/91					
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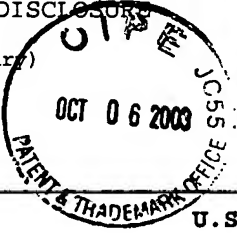
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___ BT	90/03152	04/05/90	WIPO	A61B	17/39	
___ BU	2313949	01/07/77	France	A61N	3/02	
	93/20747	10/28/93	WIPO	A61B	5/00	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
___ BV	Codman & Shurtleff, Inc. "The Malis Bipolar Electrosurgical System CMC-III Instruction Manual" 7/1991					
___ BW	Valley Forge's New Products, CLINICA, 475, 5, 11/6/91					
___ BX	Valley Forge Scientific Corp., "Summary of Safety and Effective Information from 510K," 1991					
___ BY	Codman & Shurtleff, Inc. "The Malis Bipolar Coagulating and Bipolar Cutting System CMC-II" brochure, early 1991					
___ BZ	L. Malis, "The Value of Irrigation During Bipolar Coagulation" See ARTC 21602, early 4/9/93					
___ CA	L. Malis, "Excerpted from a seminar by Leonard I. Malis, M.D. at the 1995 American Association of Neurological Surgeons Meeting," 1995					
___ CB	L. Malis, "Electrosurgery, Technical Note," J. Neursurg., Vol. 85, 970-975, 11/96					
___ CC	Ian E. Shuman, "Bipolar Versus Monopolar Electrosurgery: Clinical Applications," Dentistry Today, Vol. 20, No. 12, 12/01					
___ CD	Protell et al., "Computer-Assisted Electrocoagulation: Bipolar v. Monopolar in the Treatment of Experimental Canine Gastric Ulcer Bleeding," Gastroenterology Vol. 80, No. 3, pp. 451-455					
___ CE	Cook and Webster, "Therapeutic Medical Devices: Application and Design," 1982					
___ CF	Valleylab SSE2L Instruction Manual, 1/6/83					
___ CD	Robert D. Tucker et al., "Demodulated Low Frequency Currents from Electrosurgical Procedures," Surgery, Gynecology and Obstetrics, 159:39-43, 1984					
___ CH	Lu, et al., "Electrical Thermal Angioplasty: Catheter Design Features, In Vitro Tissue Ablation Studies and In Vitro Experimental Findings," Am J. Cardiol Vol. 60, pp. 1117-1122					
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___ CH	Selikowitz & LaCourse, "Electric Current and Voltage Recordings on the Myocardium During Electrosurgical Procedures in Canines," <i>Surgery, Gynecology & Obstetrics</i> , Vol. 164, 219-224, March 1987					
___ CI	J. O'Malley, Schaum's Outline of Theory and Problems of Basic Circuit Analysis, McGraw-Hill, 2 nd Ed., 1992, pp. 3-5					
___ CJ	Arnaud Wattiez et al., "Electrosurgery in Operative Endoscopy," Electrosurgical Effects, Blackwell Science, pp. 85-93, 1995					
___ CK	Leslie A. Geddes, "Medical Device Accidents: With Illustrative Cases" CRC Press, 1998					
___ CU	Wyeth, "Electrosurgical Unit" pp. 1181-1202					
___ C●	C.P. Swain, et al., <i>Gut</i> Vol. 25, pp. 1424-1431 (1984)					
___ CN	Piercey et al., <i>Gastroenterology</i> Vol. 74(3), pp. 527-534 (1978)					
___ CO	A.K. Dobbie <i>Bio-Medical Engineering</i> Vol. 4, pp. 206-216 (1969)					
___ CP	B. Lee et al. <i>JACC</i> Vol. 13(5), pp. 1167-1175 (1989)					
___ CQ	K. Barry et al. <i>American Heart Journal</i> Vol. 117, pp. 332-341 (1982)					
___ CQ	W. Honig <i>IEEE</i> pp. 58-65 (1975)					
___ CS	Jacob Kline, <i>Handbook of Biomedical Engineering</i> , Academic Press Inc., N.Y., pp. 98-113, 1988					
___ CT	M.B. Dennis et al. "Evolution of Electrofulguration in Control of Bleeding of Experimental Gastric Ulcers," <i>Digestive Diseases and Sciences</i> , Vol. 24, No. 11, 845-848					
___ CU	Letter from Department of Health to Jerry Malis dated April 15, 1985					
___ CV	Letter from Jerry Malis to FDA dated July 25, 1985					
___ CW	Letter from Department of Health to Jerry Malis dated 04/22/91					
___ CX	Leonard Malis, "Instrumentation for Microvascular Neurosurgery" <i>Cerebrovascular Surgery</i> , Vol 1, 245-260, 1985.					
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___ DA	97/30646	8/28/97	WO			
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___ DH	97/43970	11/27/97	WO			
___ DI	97/43972	11/27/97	WO			
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___ DK	97/44092	11/27/97	WO			
___ DL	99/08613	2/25/99	WO			
___ DM	0740926	4/12/96	EP			
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